

Mr. Ware

Hank

For those of you who don't stay up late, ABC Nightline had Jim Bamford, Frank Snapp, and a fellow from Justice named Richard Willard as guests last night. The subject: government efforts to control unauthorized disclosure of classified information.

The story began with a taped piece on the leak of the deployment of AWACS aircraft to Egypt during the border crisis with Libya and President Reagan's anger at this and other leaks. The results, as reported by ABC: the new policy on lie detectors and requirements for prepublication review by SCI-cleared personnel. The report noted that the policy was grounded in the Snapp decision.

Richard Willard from Justice was then identified as the author of the new regulations and he emphasized that the regulations were not designed to stop whistle blowing and specifically prohibited agencies from classifying to conceal wrongdoing or actions that would expose agencies or officials from embarrassment.

The story then cut to Victor Marchetti who noted that portions of his CIA and the Cult of Intelligence had been excised by CIA and then later released. Among the items he noted as being considered dangerous to national security were DCI efforts to furnish his office and one DCI's interest in upgrading his limousine. Marchetti's statement was that government policy in this area is designed to keep the American people from knowing what's going on, not to deny the information to an enemy.

The next segment was a <sup>✓</sup>live interview with Snapp, Bamford, and Willard. A gist follows:

ABC (to Willard): Hasn't unauthorized disclosure always been prohibited?

Willard: Yes, but the laws have not always been effectively enforced.

ABC: Request to Willard for an example, even hypothetical.

Willard: Responded with some air order of battle examples, the release of which might not be harmful because of the information, but because it might reveal a human or technical source.

ABC (to Bamford): Reaction?

Bamford: Replied that the issue goes way beyond Willard's point. His book was based on open-source information and now the government is moving into "a new frontier" of classification policy, going to research libraries, requesting the files he used, and demanding their reclassification. The Marshall Library was not mentioned by name; NSA was.

ABC (to Willard): Does this make any sense?

Willard (smiling): Mistakes are made. "If the information has already appeared in a book, there seems little point in reclassifying." /Rough quotation./

ABC (to Snapp): Why did he not get his book cleared in advance?

Snapp: He didn't think he had to.

ABC (to Bamford and Snapp): Whose right is it to define secrets?

Snapp: Replied that he thinks CIA and NSA employees are trained in such things and can do self-censorship.

Bamford: He only used documents in the public domain and in interviews asked people to limit their responses to unclassified material. He then raised the point that frivolous classification was like crying "Wolf," that the government lost credibility in holding on to important stuff.

Note: The other story on the show concerned the Minckley case and the insanity defense. Is there a connection?